

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed on February 23, 2005 ("Office Action"). Claims 1-80 were pending in the application. Claims 1-9 and 35-80 were allowed, Claims 10-14, 19-25 and 28-34 were rejected, and Claims 15-18, 26 and 27 were objected to. Applicant has amended Claims 10, 15, 17, 23 and 27, canceled Claims 16 and 26, and added new Claims 81-92. Applicant respectfully requests reconsideration and favorable action in this case.

Allowed Claims

Applicant thanks the Examiner for the indication that Claims 1-9 and 35-80 are allowable. No amendments have been made to Claims 1-9 and 35-80.

Claim Objections

Applicant further thanks the Examiner for the indication that Claims 15-18, 26 and 27 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 15, 17 and 27 have been rewritten into independent form to include all the limitations of the base claim and any intervening claims. Claim 18 depends from rewritten Claim 17. Claims 16 and 26 have been canceled. Accordingly, Applicant respectfully requests that the claim objections now be withdrawn.

Section 103 Rejections

The Office Action rejects Claims 10-14, 19-25 and 28-34 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,655,606 to Matthews ("Matthews"). Applicant traverses this rejection and the assertions therein.

Claim 10 has been amended to include elements of objected to Claim 16. Accordingly, Applicant submits that Claim 10 and its dependent Claims 11-14 and 19-22 are allowable.

Claim 23 has been amended to include the elements of objected to Claim 26. Accordingly, Applicant submits that Claim 23 and its dependent Claims 24-25 and 28-34 are allowable.

Applicant respectfully requests reconsideration and allowance of Claims 10 and 23, as well as all claims that depend therefrom.

New Claims

Applicant adds new Claims 81-92. Applicant submits no new matter is added and that the claims are allowable. For example, new independent Claims 81-84, from which the remaining new claims depend, each recite a substantially horizontal well bore in a coal seam and collapse of the substantially horizontal well bore around the liner.

Applicant : Douglas P. Seams
Serial No. : 10/723,322
Filed : November 26, 2003
Page : 28 of 28

Attorney's Docket No.: 17601-042001

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all Claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicant hereby requests a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference.

Enclosed is a check in the amount of \$1,900.00 for the excess claim fees. Although no other fees are believed to be due, please charge any fees or credits to deposit account 06-1050.

Respectfully submitted,

Terry J. Stalford
Reg. No. 39,522

Date: March 30, 2005

Fish & Richardson P.C.
5000 Bank One Center
1717 Main Street
Dallas, Texas 75201
Telephone: (214) 292-4088
Facsimile: (214) 747-2091